

PTO 1390 Page 1 of 1

US Dept. of Commerce Pat. & Trademark Office

Attorney's Docket No.

23241

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 USC 371**

US. Application No. (if known)

10/528056

INTERNATIONAL APP. NO.

PCT/EP2002/010358

INTERNATIONAL FILING DATE

16 September 2002

PRIORITY DATE CLAIMED

16 September 2002

TITLE OF INVENTION

DEVICE FOR CULTURING CELLS, PARTICULARLY HUMAN OR ANIMAL CELLS

APPLICANT(S) FOR DO/EO/US

Josef SEIDL et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EU/US) the following .

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. ☐ This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 317(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 USC 371(c)(2)).
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau.
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Patent Office.
6. ☒ A translation of the International application into English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau.
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 USC 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).

Items 11. to 16. below concern documents or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An Assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
 ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items of information.
Drawing (2 sheets)

| | | |
|---|---|---------------------------------------|
| US Application no. (if known) 10/528056 | International Application no. PCT/EP2002/010358 | Attorney's Docket No. 23241 |
|---|---|---------------------------------------|

17. The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5):

Search report has been prepared by the EPO or JP \$950.00

| | |
|--|----------|
| Int'l prel. exam. fee paid to USPTO (37 CFR 1.482) | \$750.00 |
|--|----------|

No int'l prel. exam. fee paid to USPTO (37 CFR 1.482)

| | |
|--|----------|
| but int'l search fee paid to USPTO (37 CFR 1.445(a)(2) | \$790.00 |
|--|----------|

Neither int'l prel. exam fee (37 CFR 1.482) nor

int'l search fee (37 CFR 1.455(a)(2)) paid to USPTO \$1000.00

Intl. prel. exam. fee paid to USPTO (37 CFR 1.482)

and all claims satisfied provisions of PCT Art. 33(2-4) \$200.00

ENTER APPROPRIATE BASIC FEE AMOUNT

CALCULATIONS PTO USE ONLY

\$1,000

Surcharge of \$130.00 for furnishing oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

| CLAIMS | NO. FILED | NO. EXTRA | RATE | | |
|--|-----------|-----------|-------|--------------------|--|
| Total claims | 13 | 0 | \$50 | \$0 | |
| Ind. claims | 0 | 0 | \$200 | \$0 | |
| MULTIPLE DEP. CLAIM(S) (if applicable) (see prel. amt.) | | | 360 | | |
| TOTAL OF ABOVE CALCULATIONS | | | | \$1,000 | |
| Reduction of ½ for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (37 CFR 1.2, 1.27, 1.28) | | | | \$500 | |
| SUBTOTAL | | | | \$500 | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | | |
| TOTAL NATIONAL FEE | | | | \$500 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The Assignment may be accompanied by an appropriate PTO-1595 cover sheet (37 CFR 3.28, 3.39) | | | | | |
| TOTAL FEES ENCLOSED | | | | | |
| | | | | Amt to be refunded | |
| | | | | Amt to be charged | |

- a. ☐ A check in the amount of \$ to cover the above fees is enclosed
- b. ☐ Please charge my deposit account 18-2025 \$ to cover the above fees. A copy of this sheet is enclosed.
- c. ☒ Please charge the amount due to the credit card identified in the attached PTO-2038.
- d. ☒ The commissioner is authorized to charge any additional fees which may be required or credit any overpayment to deposit account 18-2025. A copy of this sheet is enclosed
- e. A PTO-2038 in the amount of \$ to cover recordal of the Assignment is enclosed

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:

The Firm of Karl F. Ross P.C.
5676 Riverdale Ave. Box 900
Riverdale (Bronx), NY 10471

Herbert Dubno, Reg. No. 19,752/

23241

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Josef SEIDL et al
Patent App. Not known (US Nat'l phase of
PCT/EP2002/010358)
Filed Concurrently herewith
For DEVICE FOR CULTURING CELLS, PARTICULARLY HUMAN
OR ANIMAL CELLS

Hon. Commissioner of Patents
Box 1450 Alexandria, VA 22313-1450

RECORD OF TRANSMITTAL--PCT APPLICATION

| | | |
|-------------------------------------|-----------------------------|----------|
| <input checked="" type="checkbox"/> | PCT Transmittal | |
| <input checked="" type="checkbox"/> | PCT Application | |
| <input checked="" type="checkbox"/> | Translation | |
| <input checked="" type="checkbox"/> | Sheets of Drawing (2) | |
| <input type="checkbox"/> | PCT Declaration | |
| <input checked="" type="checkbox"/> | PCT Documents | |
| <input checked="" type="checkbox"/> | International Search Report | |
| <input checked="" type="checkbox"/> | Preliminary Amendment | |
| <input type="checkbox"/> | Assignment | |
| <input checked="" type="checkbox"/> | PTO-2038 for Official Fees | |
| <input checked="" type="checkbox"/> | Basic Fee (Small Entity) | \$500.00 |
| <input type="checkbox"/> | Ind. claims in excess of 3 | \$00.00 |
| <input type="checkbox"/> | Claim in excess of 20 | \$00.00 |
| | Total | \$500.00 |

Please charge any fees not covered by an enclosed PTO-2038 to account 18-2025 of the undersigned.

15 March 2005

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rg

Respectfully submitted,
The Firm of Karl F. Ross P.C.

Herbert Dubno, Reg. 19,752

DT08 Rec'd PCT/PTO 15 MAR 2005

CERTIFICATE OF EXPRESS MAIL
10/528056
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail or as Express Mail if the number of the Express Mail mailing label is provided on the envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on MAR 15 2005
EV467342348
Express Mail Label Number
Signature
The Firm of Karl F. Ross, P.C.